

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOHN DOE 162,

Plaintiff,

v.

THE OHIO STATE UNIVERSITY,

Defendant.

**Case No. 2:23-cv-2991
Judge Michael H. Watson
Magistrate Judge Deavers**

STEVE SNYDER-HILL, et al.,

Plaintiffs,

v.

THE OHIO STATE UNIVERSITY,

Defendant.

**Case No. 2:23-cv-2993
Judge Michael H. Watson
Magistrate Judge Deavers**

WILLIAM KNIGHT, et al.,

Plaintiffs,

v.

THE OHIO STATE UNIVERSITY,

Defendant.

**Case No. 2:23-cv-2994
Judge Michael H. Watson
Magistrate Judge Deavers**

JOHN DOE,

Plaintiff,

v.

THE OHIO STATE UNIVERSITY,

Defendant.

Case No. 2:23-cv-2996

**Judge Michael H. Watson
Magistrate Judge Deavers**

EDWARD GONZALES, et al.,

Plaintiff,

v.

THE OHIO STATE UNIVERSITY,

Defendant.

Case No. 2:23-cv-3051

**Judge Michael H. Watson
Magistrate Judge Deavers**

CASE MANAGEMENT ORDER NO. 3

This Order memorializes the rulings made during the June 27, 2024, status conference.

- By July 2, 2024, the parties shall submit a **joint** proposed briefing schedule regarding who at OSU was an “administrator with authority to take corrective action” such that their knowledge can be imputed as OSU’s knowledge under Title IX. The proposed briefing deadlines should fall within the fact discovery period. On this issue, the Court anticipates the parties will be able to **agree** as to many high-level individuals and will eventually submit to the Court those individuals whom the parties agree satisfy the knowledge standard. Thus, the anticipated briefing should focus solely on **genuine** disputes.

- Defendant is to obtain approval for mediation, and the parties are to submit a **joint** list of three potential mediators, by July 12, 2024.
- The parties are to resolve perceived deficiencies in the fact sheets before July 31, 2024, and submit the final fact sheets to each other and to the Court for in camera review by that date at 5:00 P.M., Eastern Standard time. The fact sheets should be submitted via email to Watson_chambers@ohsd.uscourts.gov.
- On September 3, 2024, by 5:00 P.M. Eastern Standard time, the Plaintiffs shall file on the docket a **joint** list of 10 plaintiffs that will proceed to full fact discovery and Defendant will file its list of 10 plaintiffs that will proceed to full fact discovery (“Discovery Plaintiffs”). Plaintiffs may file their **joint** list under seal without further order of the Court if any of the 10 proposed plaintiffs is proceeding anonymously.
- On September 3, 2024, Plaintiffs shall file a **joint** brief explaining how emotional distress damages are available in these cases notwithstanding the Supreme Court’s decision in *Cummings v. Premier Rehab Keller, PLLC*, 596 U.S. 212 (2022) and the Sixth Circuit’s later decision in *S.C. v. Metro. Gov’t of Nashville*, 86 F.4th 707 (6th Cir. 2023). Defendant’s response brief is due October 3, 2024, and Plaintiffs’ **joint** reply is due October 17, 2024. No brief shall exceed 20 pages.

- Full fact discovery on the Discovery Plaintiffs will take place from September 4, 2024, to May 30, 2025.
- On June 16, 2025, Plaintiffs shall submit their **joint** top three choices for bellwether trial and Defendant shall submit its top three choices for bellwether trial. Each side should submit a letter brief explaining its choices, not to exceed five pages. The lists and letter briefs shall be submitted via email to Watson_chambers@ohsd.uscourts.gov.
- Deadlines for expert discovery, dispositive and other motion briefing, will be established after the Court selects two bellwether trial cases.
- The two bellwether trials will likely take place in Spring or Summer of 2026.

The next status conference will take place on July 26, 2024, at 10:30 a.m. telephonically.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT



ELIZABETH A. PRESTON DEAVERS
UNITED STATES MAGISTRATE JUDGE